

Customer No.: 07278

Docket No.: 04970/000K115US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Naoki TANAKA ET AL.

Serial No: 10/022,096

Group Art Unit: 2817

Filed: December 13, 2001

Examiner: Barbara Summons

Confirmation No. 2886

For: SURFACE ACOUSTIC WAVE FILTER  
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INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In order to comply with 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO/SB/08a/b and a copy<sup>1</sup> of the document listed thereon. This document contains information which the Examiner should consider during examination of the present application.

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<sup>1</sup> If a listed document is not in the English language and an English translation is readily available, such translation is also enclosed and attached to the copy of the document. If a translation is not attached, it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then the English equivalent patent is also listed on the enclosed form along with the corresponding foreign language patent and a connecting arrow indicates the relationship between them. If no such English language equivalent is cited, then none is known to the undersigned.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO/SB/08a/b) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing Form PTO/SB/0-8a/b) next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

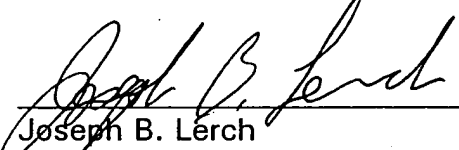
The undersigned is also enclosing herewith an English translation and a copy of an Office Action issued September 12, 2003 in the Chinese counter-part of the present patent application, in which the presently disclosed reference was cited. Since the Office Action is accompanied by an English translation, it is believed that the applicants in the above-identified patent application have now met the "concise explanation" requirement of 35 C.F.R. 1.98.

The present Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56, but the citation of such document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of

examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

  
Joseph B. Lerch  
Reg. No. 26,936  
Attorney For Applicant(s)

DARBY & DARBY P.C.  
P.O. Box 5257  
New York, NY 10150-5257  
(212) 527-7700



Docket No.: 04970/000K115-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Naoki Tanaka, et al.

Application No.: 10/022,096

Art Unit: 2817

Filed: December 13, 2001

Examiner: B. Summons

For: SURFACE ACOUSTIC WAVE FILTER

**REQUEST TO MAKE INFORMATION DISCLOSURE STATEMENT OF RECORD**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

It is respectfully requested that the Information Disclosure Statement filed October 7, 2003 in the above-identified patent application be made of record.

Attached is a complete copy of all the papers accompanying that Information Disclosure Statement and a return postcard evidencing that these documents were filed on October 7, 2003. These papers demonstrate that the complete Information Disclosure Statement, an English Translation of an Office Action in the foreign counterpart in which the disclosed reference was cited, and a statement pursuant to 37 C.F.R. 1.97(e) were filed on October 7, 2003. Inasmuch as the applicant met all requirements to have the Information Disclosure Statement considered, it is respectfully requested that it be made of record.

No paper evidencing that the Information Disclosure Statement has been considered accompanied the Notice of Allowance of December 2, 2003.

Respectfully submitted,

By \_\_\_\_\_

Joseph B. Lerch

Registration No.: 26,936

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

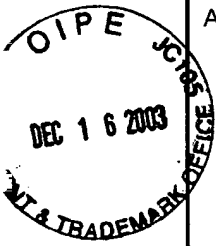
(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

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12-18-03

2817  
B



Application No. (if known): 10/022,096

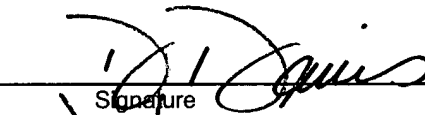
Attorney Docket No.: 04970/000K115-US0

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EL983950805-US in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Date

  
Signature  
D. DAVIS

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Request To Make Information Disclosure Statement Of Record;  
Copies of IDS filed October 7, 2003 --IDS, Chinese Office Action  
w/English Translation, Form SB/08; and Statement Pursuant to 37 CFR  
1.97(e).  
Copy of returned postcard stamped by USPTO 10/7/03;

Return of this card properly stamped, will acknowledge receipt of:

IDS Certification Pursuant to 37 C.F.R. 1.97(e)

Exhibit A - Copy of Chinese Office Action w/English Translation

Information Disclosure Statement w/ copy of Chinese Office Action w/English Translation;

PTO/SB/08a/b

Chinese Reference (CN 1105166A)

Applicant : Naoki TANAKA ET AL.

Serial No. : 10/022,096

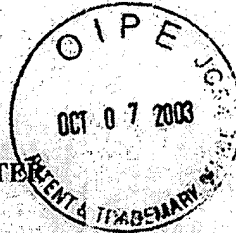
Filed : December 13, 2001

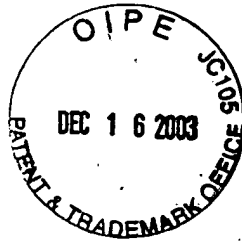
For : SURFACE ACOUSTIC WAVE FILTER

Attorney : Joseph B. Lerch

File No. : 04970/000K115US0

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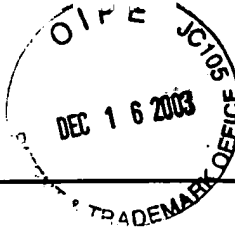
IDS Certification Pursuant to 37 C.F.R. 1.97(e)  
Exhibit A - Copy of Chinese Office Action w/English Translation  
Information Disclosure Statement w/ copy of Chinese Office Action w/English Translation;  
PTO/SB/08a/b  
Chinese Reference (CN 1105166A)

Applicant : Naoki TANAKA ET AL.  
Serial No. : 10/022,096  
Filed: : December 13, 2001  
For : SURFACE ACOUSTIC WAVE FILTER

Attorney : Joseph B. Lerch  
File No. : 04970/000K115US0

Mailed : 10/7/03 Mailer: DTD





Application No. (if known): 10/022,096

Attorney Docket No.: 04970/000K115US0

## Certificate of Express Mailing Under 37 CFR 1.10

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Signature  


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Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS Certification Pursuant to 37 C.F.R. 1.97(e)  
Exhibit A - Copy of Chinese Office Action w/English Translation  
Information Disclosure Statement w/ copy of Chinese Office Action  
w/English Translation;  
PTO/SB/08a/b  
Chinese Reference (CN 1105166A)



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Examiner: Barbara Summons

Confirmation No.: 2886

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CERTIFICATION PURSUANT TO 37 C.F.R 1.97(e)

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

I, Joseph B. Lerch, declare as follows:

1. I am an attorney of record in the above-identified patent application, and I am submitting this certification pursuant to 37 C.F.R. 1.97(e) relative to a concurrently filed Information Disclosure Statement.

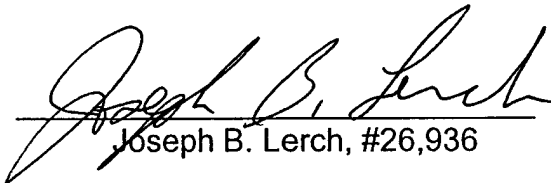
2. On information and belief, Chinese patent application No. 01144302.2 is a foreign counterpart of the above-identified patent application.

3. On information and belief, attached as Exhibit A is a true copy of a Chinese Office Action which issued in Chinese patent application No. 01144302.2 on September 12, 2003. Each item of information cited in the accompanying Information Disclosure Statement was cited in this Office Action.

4. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code; and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Date: \_\_\_\_\_

11/17/03

  
Joseph B. Lerch, #26,936

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			<b>Complete If Known</b>		
			Application Number	10/022,096	
			Filing Date	December 13, 2001	
			First Named Inventor	Naoki TANAKA ET AL.	
			Art Unit	2817	
			Examiner Name	Barbara Summons	
Sheet	1	of	Attorney Docket Number		04970/000K115US0

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		CN - 1105166A	7/12/95			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

{M:497 040K11		Date Considered	
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